

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-137-W/S - ORDER NO. 1999-733
OCTOBER 18, 1999

IN RE: Application of Tega Cay Water Service, Inc.)
for Approval of an Increase in Rates and)
Charges for Water and Sewer Service.)

✓ NR
ORDER ON
CLARIFICATION

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Petition for Clarification or Reconsideration filed by the Consumer Advocate for the State of South Carolina ("Consumer Advocate"). By its Petition, the Consumer Advocate requests that the Commission either clarify or reconsider Order No. 1999-547, dated August 4, 1999, to define the responsibility of Tega Cay Water Service, Inc. ("TCWS") as to locating former customers who are due refunds.

In Order No. 1999-547, the Commission ruled on the disposition of unclaimed refunds which had been required under Order No. 1999-191. *Inter alia* Order No. 1999-191 required TCWS to make refunds to customers of charges collected by TCWS under bond during the appeal of the rate case in this docket. Subsequently, TCWS informed the Commission that it had completed refunds as required by Order No. 1999-191 but also informed the Commission that \$10,822.92 was posted to inactive accounts. TCWS requested that it be allowed to transfer this \$10,822.92 belonging to inactive accounts to the account of contributions in aid of construction ("CIAC"). The Consumer Advocate, as

well as the City of Tega Cay, filed a letter opposing TCWS's proposed treatment of the unclaimed refunds. In Order No. 1999-547, the Commission found that the disposition of the unclaimed refunds was controlled by the Uniform Unclaimed Property Act ("UUPA"). The Commission further found that TCWS's request to treat the unclaimed refunds as CIAC could not be approved and that the Consumer Advocate's request to return the unclaimed refunds to existing customers could not be granted.

By its Petition, the Consumer Advocate notes that under the terms of the UUPA, TCWS will hold the unclaimed refunds for five years before turning the funds over to the state treasurer's office as abandoned property. The Consumer Advocate seeks clarification, or in the alternative reconsideration, as to the responsibility of TCWS during that period as to locating former customers who are due refunds. The Consumer Advocate requests that TCWS be required to take reasonable steps to locate those persons to whom refunds are due and to report the results of its efforts to locate those persons to the Commission. The City of Tega Cay filed a letter in support of the Consumer Advocate's Petition.

Upon consideration of this matter, the Commission finds the Petition of the Consumer Advocate reasonable and grants clarification of Order No. 1999-547. The Commission hereby grants clarification of Order No. 1999-547 to require TCWS to take reasonable steps to locate those persons to whom refunds are due pursuant to Order No. 1999-191. The Commission directs TCWS to use reasonable means to locate these former customers, including but not limited to obtaining forwarding addresses from the United States Post Office as well as forwarding addresses from the City of Tega Cay.

Further, TCWS shall report to the Commission its efforts undertaken to locating these former customers as well as the results of those efforts.

IT IS THEREFORE ORDERED THAT:

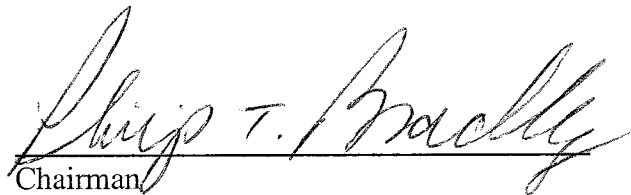
1. The Consumer Advocate's request for clarification of Order No. 1999-547 is granted.

2. TCWS shall use reasonable means to locate the former customers to whom refunds are due, including but not limited to obtaining forwarding addresses from the United States Post Office as well as forwarding addresses from the City of Tega Cay.

3. TCWS shall report to the Commission its efforts undertaken in locating these former customers and shall report the results of those efforts.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)